

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1559

Session of
1989

INTRODUCED BY BROUJOS, HASAY, MRKONIC, BATTISTO, CALTAGIRONE,
COLE, LUCYK, FOX, NAILOR, SAURMAN AND SERAFINI, MAY 23, 1989

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MARCH 21, 1990

AN ACT

1 Amending the act of August 20, 1953 (P.L.1217, No.339), entitled
2 "An act providing for payments by the Commonwealth to
3 municipalities which have expended money to acquire and
4 construct sewage treatment plants in accordance with the
5 Clean Streams Program and the act, approved the twenty-second
6 day of June, one thousand nine hundred thirty-seven (Pamphlet
7 Laws 1987), and making an appropriation," further providing
8 for applications for payments by the Commonwealth; and making
9 editorial changes.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 1 of the act of August 20, 1953
13 (P.L.1217, No.339), entitled "An act providing for payments by
14 the Commonwealth to municipalities which have expended money to
15 acquire and construct sewage treatment plants in accordance with
16 the Clean Streams Program and the act, approved the twenty-
17 second day of June, one thousand nine hundred thirty-seven
18 (Pamphlet Laws 1987), and making an appropriation," amended
19 August 11, 1967 (P.L.236, No.89), is amended to read:

20 Section 1. Commencing on the first day of July, one thousand
21 nine hundred fifty-four, and annually thereafter, until the end

1 of the fiscal year ending the thirtieth day of June, one
2 thousand nine hundred sixty-five, the Commonwealth shall pay
3 toward the cost of operating, maintaining, repairing, replacing
4 and other expenses relating to sewage treatment plants, an
5 amount not to exceed two per centum (2%) and commencing on the
6 first day of July, one thousand nine hundred sixty-five and
7 annually thereafter, the Commonwealth shall pay an amount equal
8 to two per centum (2%) of the costs for the acquisition and
9 construction of such sewage treatment plants by municipalities,
10 municipality authorities and school districts to control stream
11 pollution, expended by such municipalities, municipality
12 authorities and school districts from the effective date of the
13 act, approved the twenty-second day of June, one thousand nine
14 hundred thirty-seven (Pamphlet Laws 1987), up to and including
15 the thirty-first day of December of the year preceding the year
16 in which such payment is made, and as ascertained by the
17 Secretary of [Health] Environmental Resources and approved by
18 the Governor, as hereinafter provided.

19 Section 2. Section 2 of the act is amended to read:

20 Section 2. Within the meaning of this act, the word
21 "construction" shall include, in addition to the construction of
22 new treatment works, pumping stations and intercepting sewers
23 which are an integral part of the treatment facilities, the
24 altering, improving or adding to of existing treatment works,
25 pumping stations and intercepting sewers which are essential to
26 the sewage treatment plant system, provided the acquisition and
27 construction has been directed by the Department of [Health]
28 Environmental Resources, and said construction completed and
29 facilities placed in operation in accordance with the act,
30 approved the twenty-second day of June, one thousand nine

1 hundred thirty-seven (Pamphlet Laws 1987).

2 Section 3. Section 3 of the act, amended August 11, 1967
3 (P.L.236, No.89), is amended to read:

4 Section 3. The amounts to be expended for any of the
5 foregoing purposes shall be recommended by the Secretary of
6 [Health] Environmental Resources and approved by the Governor,
7 in accordance with rules and regulations which the Department of
8 [Health] Environmental Resources is hereby authorized to
9 promulgate, and shall be based upon reports filed with the
10 Secretary of [Health] Environmental Resources prior to the
11 thirty-first day of January, one thousand nine hundred fifty-
12 four, and annually thereafter, by the municipalities,
13 municipality authorities or school districts entitled to receive
14 such payments, setting forth the amounts expended for the
15 acquisition and construction of sewage treatment plants from the
16 effective date of the act, approved the twenty-second day of
17 June, one thousand nine hundred thirty-seven (Pamphlet Laws
18 1987), up to and including the thirty-first day of December of
19 the preceding year. The thirty-first day of January deadline for
20 the filing of annual reports and applications for payments may
21 be extended by the Secretary of Environmental Resources for a
22 period not to exceed thirty (30) days upon cause shown.

23 SECTION 4. NOTWITHSTANDING THE PROVISIONS OF SECTION 3 OF <—
24 THE ACT, ANNUAL REPORTS AND APPLICATIONS FOR PAYMENTS REQUIRED
25 TO BE FILED BY JANUARY 31, 1990, MAY BE FILED WITHIN 30 DAYS
26 AFTER THE EFFECTIVE DATE OF THIS ACT.

27 SECTION 5. THIS ACT SHALL BE RETROACTIVE TO JANUARY 30,
28 1990.

29 Section 4 6. This act shall take effect immediately. <—